

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 00-6277-CR-HURLEY/ VITUNAC

UNITED STATES OF AMERICA

Plaintiff,

v.

ERIC MCKINNEY

Defendant.

**ORDER ON INITIAL APPEARANCE**

AUSA: Jeffrey Kay

Language ENGLISH

Agent: Rick Samson, USPO

Tape No. JMH .07-45-577

The above-named defendant having been arrested on \_\_\_\_\_ having appeared before the court for initial appearance on **June 29, 2007** and proceedings having been held in accordance with **Fed.R.Cr.P. r. 5 or 40(a)**, it is thereupon

**ORDERED** as follows:

1. \_\_\_\_\_ appeared as permanent/temporary counsel of record.  
Address: \_\_\_\_\_  
Zip Code: \_\_\_\_\_ Telephone: \_\_\_\_\_
2. \_\_\_\_\_ appointed as permanent counsel of record.  
Address: \_\_\_\_\_  
Zip Code: \_\_\_\_\_ Telephone: \_\_\_\_\_
3. **The defendant shall attempt to retain counsel and shall appear before the court at 10:00 a.m. on 7/6/07 before the Duty Magistrate Judge (Report Re: Counsel)**
4. **PROBABLE CAUSE hearing is set for 7/6/07 at 10:00am before Duty Magistrate.**
5. The defendant is held in temporary pretrial detention pursuant to 18 U.S.C. Section 3142 (d) or (f) because \_\_\_\_\_

A **DETENTION HEARING** pursuant to 18 U.S.C. Section 3142(f), is set for **7/6/07@ 10:00am** before the **Duty Magistrate Judge.**

6. The defendant shall be release from custody upon the posting of the following type of appearance bond, pursuant to 18 U.S.C. Section 3142:

\_\_\_\_\_  
\_\_\_\_\_  
This bond shall contain the standard conditions of bond printed in the bond form of this Court and, in

addition, the defendant must comply with the special conditions checked below:

- \_\_\_ a. Surrender all passports and travel document to the Pretrial Services Office.  
 \_\_\_ b. Report to Pretrial Services as follows: \_\_\_ time(s) a week in person, \_\_\_ time(s) a week by phone;  
 \_\_\_ as directed; other: \_\_\_\_\_  
 \_\_\_ c. Submit to random urine testing by Pretrial Services for the use of non-physician-prescribed substances  
 prohibited by law.  
 \_\_\_ d. Maintain or actively seek full time gainful employment.  
 \_\_\_ e. Maintain or begin an educational program.  
 \_\_\_ f. Avoid all contact with victims of or witnesses to the crimes charged.  
 \_\_\_ g. Refrain from possessing a firearm, destructive device or other dangerous weapon.  
 \_\_\_ h. Comply with the following curfew: \_\_\_\_\_  
 \_\_\_ i. Avoid all commercial transportation facilities; no airports, no marinas, no bus terminals.  
 \_\_\_ j. Comply with the following additional special conditions of this bond:  
 \_\_\_\_\_  
 k. Not to further encumber property

This bond was set: At Arrest \_\_\_\_\_  
On Warrant \_\_\_\_\_  
After Hearing \_\_\_\_\_

If bond is changed from that set in another District, the reason pursuant to Rule 40(f) is

\_\_\_\_\_ If this space is checked, an evidentiary hearing pursuant to United States v. Nebbia, 357, F.2d 303 (2 Cir. 1966) shall be held prior to the posting of the bond. Such hearing shall be scheduled promptly upon notification to the court that the defendant is ready to post bond.

7. The defendant has been advised by the court that if he or she is released on bond pursuant to the conditions set forth herein or those later ordered by the court, the defendant is subject to arrest and revocation of release and to various civil and criminal sanctions for any violation of those conditions. These various sanctions and penalties are set forth more fully in the Appearance Bond itself.
8. The defendant is committed to the custody of the United States Marshal until an appearance bond has been executed in accordance with this or subsequent court order.

**DONE AND ORDERED** at West Palm Beach, Florida this 29<sup>TH</sup> day of JUNE, 2007.

James M. Hopkins

**JAMES M. HOPKINS**  
**UNITED STATES MAGISTRATE JUDGE**

c: Assistant U.S. Attorney  
Defense Counsel  
Pretrial Services/Probation